

Immunex Corporation

100 907 267 900 3 272 000 #7

Docket No.: 2008-US

DECLARATION

As a below-named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe that I am an original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

IL-1 ZETA, IL-1 ZETA SPLICE VARIANTS AND XREC2 DNAs AND POLYPEPTIDES

the specification of which

is attached hereto.

OR

☒ was filed on June 6, 2001 as United States Application No. 09/876,790.

I hereby state that I have reviewed and understand the contents of said specification, including the claims. I acknowledge the duty to disclose information that is known to me and material to patentability of the subject claimed invention in accordance with 37 C.F.R. §1.56.

I hereby claim the benefit under 35 U.S.C. §120 of the United States application(s) and PCT international application(s) designating the United States that are listed below, and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application(s) or PCT international application(s) in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. §1.56 which became available between the filing date of the prior application(s) and the national or PCT international filing date of this application.

Application No.
PCT/US99/29549

Filed
December 14, 1999

I hereby claim the benefit under 35 U.S.C. §119(e) of the United States provisional patent application(s) listed below:

Application No.
60/164,675
60/112,163

Filed
November 10, 1999
December 15, 1998

Immunex Corporation
Declaration

O P E R A T I O N S C O M M U N I C A T I O N

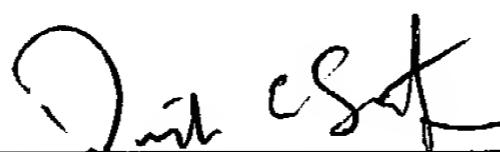


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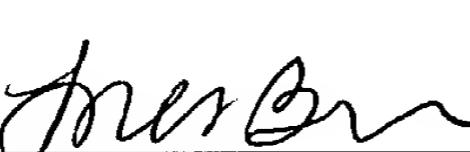
I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature 
Inventor John E. Sims
Post Office 51 University Street
Address Seattle, Washington 98101
U.S.A.
Residence Seattle, Washington U.S.A.
Citizenship US

Date Jan. 31, 2002

Signature 
Inventor Dirk E. Smith
Post Office 51 University Street
Address Seattle, Washington 98101
U.S.A.
Residence Bainbridge Island, Washington U.S.A.
Citizenship US

Date 1/30/02

Signature 
Inventor Teresa L. Born
Post Office 51 University Street
Address Seattle, Washington 98101
U.S.A.
Residence Kenmore, Washington U.S.A.
Citizenship US

Date 1/25/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the Application of:

John E. Sims, Dirk E. Smith and
Teresa L. Born

Docket No.: 2008-US

Group Art Unit: 1646

Serial No: 09/876,790

Examiner: Unknown

Filed: June 6, 2001

For: IL-1 ZETA, IL-1 ZETA SPLICE
VARIANTS AND XREC2 DNAS AND
POLYPEPTIDES**STATEMENT UNDER 37 C.F.R. 3.73(b) AND**
POWER OF ATTORNEY BY ASSIGNEECommissioner for Patents
Washington, D.C. 20231

Sir:

IMMUNEX CORPORATION (hereinafter "IMMUNEX"), a corporation of the State of Washington having a place of business at 51 University Street, Seattle, Washington 98101, is the assignee of the entire right, title, and interest in the above-identified U.S. patent application. Documentary evidence of a chain of title from the original owner(s) to IMMUNEX is demonstrated by:

- the enclosed copy of an Assignment, the original of which is being filed for recordation by the United States Patent and Trademark Office.
OR
- the assignment recorded in the United States Patent and Trademark Office at Reel 012639, Frame 0474.

The undersigned, whose title is supplied below, is empowered to sign this statement on behalf of IMMUNEX.

IMMUNEX hereby appoints the registered practitioners at the following Customer Number to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



22932

Immunex Corporation

Docket No. 2008-US

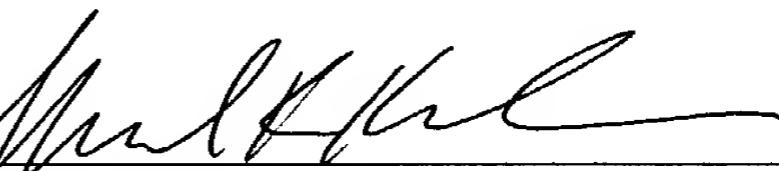
Statement Under 37 C.F.R. 3.73(b) and Power of Attorney by Assignee

Please send all correspondence and direct telephone calls to the above-identified
Customer Number.

Respectfully submitted,

Date November 21, 2002

By


Michael K. Kirschner
Senior Patent Officer

Enclosure: Copy of Assignment

Immunex Corporation

Docket No.: 2008-US

ASSIGNMENT

WHEREAS, We, John E. Sims, residing at Seattle, Washington, Dirk E. Smith, residing at Bainbridge Island, Washington, and Teresa L. Born, residing at Kenmore, Washington, have made an invention entitled "IL-1 ZETA, IL-1 ZETA SPLICE VARIANTS AND XREC2 DNAs AND POLYPEPTIDES," for which U.S. Patent Application Serial No. 09/876,790 was filed on June 6, 2001;

AND, WHEREAS, IMMUNEX CORPORATION, a corporation of the State of Washington, having a principal place of business at 51 University Street, Seattle, Washington 98101 (hereinafter referred to as ASSIGNEE) is desirous of acquiring the entire right and title to and interest in the invention disclosed in said application;

NOW, THEREFORE, for sufficient, good and valuable consideration, the receipt of which is hereby acknowledged, we do hereby sell, assign, and transfer unto said ASSIGNEE our entire right and title to and interest in said application and said invention(s) and all U.S. and foreign applications and patents on said invention(s) to be held and enjoyed by ASSIGNEE as entirely as the same would have been held and enjoyed by us had this sale, assignment, and transfer not been made, and we do hereby further agree and promise to execute all instruments and render all such assistance as ASSIGNEE may request in order to make and prosecute any and all applications on said invention(s), to enforce any and all patents on said invention(s), and to confirm in ASSIGNEE legal title to said invention(s) and all applications and patents on said invention(s), all without charge to ASSIGNEE but at no expense to us.

Executed at Seattle, Washington, this 51 day of January, 2002.

John E. Sims

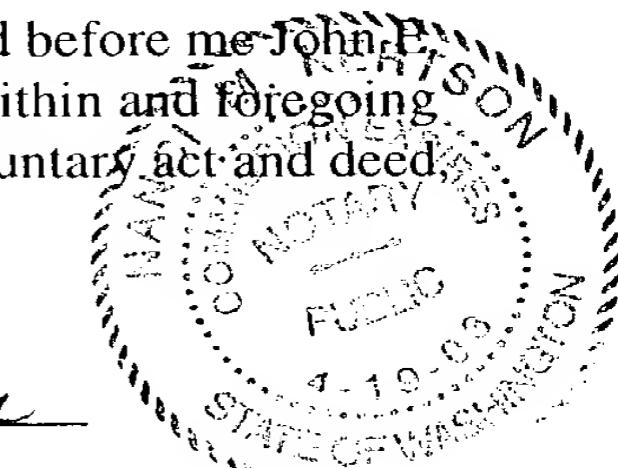
On this 31 day of January, 2002, personally appeared before me John E. Sims, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed for the uses and purposes therein mentioned.

James M. Hartman

Nanci M. Kertson

Notary Public in and for the State of Washington.

My appointment expires 4-19-03



Immunex Corporation Assignment

Docket No. 2008-US

Executed at Seattle, Washington, this 30th day of January, 2002.

Dale Sotk

Dirk E. Smith

STATE OF WASHINGTON)
) ss.
COUNTY OF KING)

On this 30th day of January, 2002, personally appeared before me Dirk E. Smith, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that he signed the same as his free and voluntary act and deed, for the uses and purposes therein mentioned.

Spence M. Keston
Spence M. Keston

Nanci M. Kertson

Notary Public in and for the State of Washington

My appointment expires 4-19-03

Executed at Seattle, Washington, this 25 day of January, 2002.

the 10th

Teresa L. Born

On this 25th day of January, 2002, personally appeared before me Teresa L. Born, to me known to be the individual named above who executed the within and foregoing instrument, and acknowledged that she signed the same as her free and voluntary act and deed, for the uses and purposes therein mentioned.

Grace S. Kettson
N.Y. M.Y.

Nanci M. Kertson

Notary Public in and for the State of Washington

My appointment expires 4-19-03